

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 1:12CR455
)	
FREWEYNI MEBRAHTU,)	
)	
Defendant.)	

STATEMENT OF FACTS

The parties stipulate that the allegations in the Criminal Information and the following facts are true and correct, and that had the matter gone to trial the United States would have proven those facts beyond a reasonable doubt through witnesses, testimony, and other competent and admissible evidence.

1. During the relevant period, the defendant Freweyni Mebrahtu (“defendant” or “Mebrahtu”) was a resident of Fairfax and Sterling, Virginia. Beginning in or about March 2009 through in or about July 2012, the defendant was an employee of Parking Management Inc. (“PMI”) and worked as a parking booth attendant at the Smithsonian National Air and Space Museum’s (the “Museum”) Steven F. Udvar-Hazy Center (the “Udvar-Hazy Center”) parking lot (the “Parking Lot”). The Udvar-Hazy Center is located in Chantilly, Virginia, in the Eastern District of Virginia.

2. The Udvar-Hazy Center, along with the National Air and Space Museum in Washington, D.C., maintains the largest collection of historic air and spacecraft in the world. The Smithsonian Institution (the “Smithsonian”), which includes the Udvar Hazy Center, is a trust instrumentality of the United States Government. The structure, organization, oversight,

and management of the Smithsonian are established and governed by federal statute.

3. The Udvar-Hazy Center's Parking Lot has approximately 2,000 vehicle spaces for use by visitors to the Udvar-Hazy Center as well as Smithsonian employees and commercial vehicles having business at the museum. The Parking Lot is accessed by five entrance lanes accessible from Air and Space Museum Parkway. Each entrance lane has a parking attendant booth as well as an entry control gate with a gate arm that is raised by the attendant in the booth to allow a vehicle entry into the Parking Lot. For most Udvar-Hazy Center visitors, the booth attendant collects a \$15 per vehicle fee, which may be paid by cash or charge card. Vehicles that pay to enter the Parking Lot are known as "revenue" vehicles. Certain vehicles, such as taxis or school buses, are not required to pay an entrance fee to enter the Parking Lot, and are known as "non-revenue" vehicles.

4. From on or about March 14, 2009 to the present, the Parking Lot has been managed and operated by PMI. In April 2009, the Smithsonian and PMI entered into a firm, fixed-price contract under which PMI collects the parking fees paid by visitors and remits them to the Smithsonian. PMI was required to transfer all collected parking revenue to the Smithsonian on a weekly basis. PMI was also required to report the total number of revenue and non-revenue vehicles that entered the Parking Lot to the Smithsonian on weekly and monthly bases.

5. The defendant has been employed as a full-time PMI booth attendant at the Parking Lot since in or about March 2009. She worked in various entrance booths and collected payment from visitors to the Udvar-Hazy Center who park their vehicles at the Parking Lot. From March 2009 to on or about July 2012, the defendant generally worked six days per week.

6. When the visitor pays the parking fee, the booth attendant presses a button in the gate booth that raises the gate arm. Simultaneously, a counting box in the booth records both the raising of the gate arm and the pressing of the button by the attendant to raise the arm. These counts are respectively displayed in two separate sealed windows on a counting box in the booth. After a visitor pays to enter the Parking Lot, the booth attendant is per PMI policy required to hand the visitor a parking ticket, which the driver displays in the vehicle's windshield during his or her visit to the Udvar-Hazy Center.

7. From at least in or about October 2009 through in or about July 2012, the defendant knowingly and willfully embezzled, stole, purloined, and converted to her use and the use of another, money belonging to the Smithsonian, a trust instrumentality of the United States, in excess of \$1,000. Specifically, based on the information available to the government at this time, the defendant willfully stole more than \$400,000 but not more than \$1,000,000 in parking revenues collected from visitors to the Udvar-Hazy Center's Parking Lot in her capacity as a booth attendant by significantly under-reporting the total number of revenue vehicles that entered the Parking Lot through the entrance lanes she worked and stealing cash from such under-reporting.

8. For example, between June 16, 2012 and June 23, 2012, with the exception of June 21, 2012 on which date she did not work, the defendant underreported to PMI a number of revenue vehicles that entered her lane on each of the seven days. Based on this information, and using the \$15 fee per vehicle, the total estimated revenue failed to be turned over to the Smithsonian from vehicles entering through lanes the defendant worked for a total of seven days described in this paragraph was thousands of dollars.

9. To manipulate and suppress the count of the total number of cars entering through

the entrance lanes she worked, the defendant often reached under a counter in the parking booth she was staffing in order to unplug the power source of the counting box and thereby disable it for periods of time. Additionally, the defendant repeatedly failed to give out parking tickets to the paying visitors, as she was required to do; that is, after a customer paid the entrance fee, defendant would not provide a serialized ticket for a visitor to display as proof of his or her purchase. By doing this and by repeatedly disabling the electronic counting mechanism, defendant was able to suppress the counting of the true number of vehicles that entered the Parking Lot through her lane. Defendant was thereby able to keep for her own use the revenues of the unreported vehicles, instead of remitting the money to the Smithsonian.

10. Within six months of beginning work at the Parking Lot, the defendant was repeatedly stealing parking revenues by failing to hand out serialized tickets to visitors. At various times between in or about October 2009 and July 2012, the defendant and her co-workers, G.Y. and M.T., would discuss techniques they were using to steal parking revenue from the Smithsonian.

11. The defendant also frequently interacted with the Parking Lot manager, A.H., who she knew through her conversations with A.H., to be aware of the thefts of visitor parking fees by the defendant. The defendant paid a portion of the stolen proceeds to A.H. to continue the defendant's criminal activity. The defendant and her co-workers, G.Y. and M.T., talked about how they were each sharing their stolen funds with A.H.

12. In or about July 2012, A.H. told the defendant, G.Y. and M.T. that there were customer complaints and that they needed to stop stealing. The defendant, based on A.H.'s instruction, complied and stopped stealing parking revenues.

13. The acts taken by the defendant in furtherance of the offenses charged in this

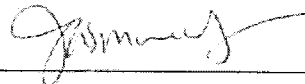
case, including the acts described above, were done willfully and knowingly and not because of accident, mistake, or other innocent reason.

14. The foregoing statement of facts is a summary of the principal facts that constitute the legal elements of the offense of theft of public money. This statement of facts does not include each and every fact known to the defendant and to the United States concerning the defendant's and others' involvement in the charge set forth in the plea agreement.

Respectfully submitted,

Neil H. MacBride
United States Attorney

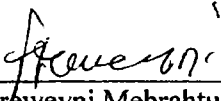
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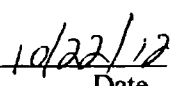


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After consulting with my attorney, and pursuant to the Plea Agreement entered into this day between myself and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.


Freweyni Mebrahtu
Defendant


Date

I am defendant Freweyni Mebrahtu's attorney. I have carefully reviewed the above Statement of Facts with her. To my knowledge, her decision to stipulate to these facts is an informed and voluntary one.


Marvin Miller, Esq.
Attorney for Freweyni Mebrahtu


Date